

H.C.R. 42 - (Barrientos): Honoring Shirley Howell Carlton.

H.C.R. 50 - (Glasgow): Urging Texans to cooperate with the 1990 census.

S.R. 73 - By Glasgow: Recognizing April 7-8 as Stormie Jones Weekend in White Settlement and officially declaring Stormie Jones a most treasured citizen of her state.

S.R. 75 - By Brooks: Extending congratulations to Delwin C. Parker, Sr., of Houston on his 82nd birthday.

S.R. 76 - By Brooks: Recognizing April 22, 1990, as Earth Day in Texas and April 21-22, 1990, as Earth Weekend in Galveston County.

RECESS

On motion of Senator Brooks, the Senate at 11:53 a.m. took recess until 10:00 a.m. tomorrow.

SIXTH DAY

(Continued)

(Wednesday, March 28, 1990)

AFTER RECESS

The Senate met at 10:00 a.m. and was called to order by the President.

CO-AUTHORS OF SENATE JOINT RESOLUTION 2

On motion of Senator Johnson and by unanimous consent, Senators Ellis, Green and Whitmire will be shown as Co-authors of S.J.R. 2.

CO-AUTHORS OF SENATE JOINT RESOLUTION 9

On motion of Senator Johnson and by unanimous consent, Senators Ellis, Green and Whitmire will be shown as Co-authors of S.J.R. 9.

CO-AUTHORS OF SENATE JOINT RESOLUTION 10

On motion of Senator Glasgow and by unanimous consent, Senators Ellis and Johnson will be shown as Co-authors of S.J.R. 10.

CO-AUTHORS OF SENATE BILL 2

On motion of Senator Johnson and by unanimous consent, Senators Barrientos, Ellis, Truan and Whitmire will be shown as Co-authors of S.B. 2.

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolution:

S.C.R. 7

SENATE RESOLUTION 74

Senator Barrientos offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the princesses of the 63rd Texas Relays for their dedication and excellent performance of their duties; and

WHEREAS, Madelon Highsmith, Jennifer Lucas, Courtney Gunter, Rachelle Young, Ann Weathersby, Lisa Leigh, and Scherazade Daruvalla are the 1990 official hostesses and Augie Erfurth is the Texas Relays Director; and

WHEREAS, The lovely coeds are selected by the Relays Queen Selection Committee and serve at all relays functions during Texas Relays week by entertaining officials, coaches, and team members as well as presenting winners' awards at the meet itself; and

WHEREAS, The Texas Senate is honored to have these chosen hostesses of the Texas Relays at the State Capitol on March 28, 1990, and extend to them a most warm welcome and congratulate them on their selection; and

WHEREAS, This important function of the Texas Relays brings credit to The University of Texas and to the entire state as these ambassadors of goodwill spread graciousness and friendliness to all they entertain during the week of April 4 through 7, 1990; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, 3rd Called Session, hereby commend the seven princesses of the 63rd Texas Relays for their efforts on behalf of the Texas Relays Student Committee in ensuring a most successful and rewarding event; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the Texas Relays princesses as a token of appreciation from the Texas Senate.

The resolution was read and was adopted viva voce vote.

GUESTS PRESENTED

Upon recognition, Senator Barrientos presented the Texas Relays princesses to the Senate and escorted them to the President's Rostrum.

The Senate welcomed these young ladies and the President presented to them enrolled copies of S.R. 74.

SENATE RESOLUTION 82 (Caucus Report)

Senator Brooks offered the following resolution:

Honorable William P. Hobby
President of the Senate
Austin, Texas

Sir:

At a caucus held on March 28, 1990, and attended by 23 Members of the Senate, the following recommendations were made, to wit:

BE IT RESOLVED by the Senate, That:

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session, and in addition thereto, he and the Secretary of the Senate shall be furnished postage, telegraph, telephone, express, and all other expenses incident to their respective offices.

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature. The Secretary of the Senate may employ such employees as are necessary for the operation of her office and to perform duties as may be required in connection with the business of the state from the closing of this session and until the convening of the next session. All employees and elected officers of the Senate shall operate under the direct supervision of the Secretary of the Senate during the interim.

The Administration Chairman is authorized to retain a sufficient number of staff employees to conclude the work of the Enrolling Clerk, Calendar Clerk,

Journal Clerk, and Sergeant-at-Arms. The Committee on Administration shall establish the salaries to be paid the Senate staff.

The Chairman of the Senate Committee on Administration is hereby authorized and directed to cause the Senate Chamber to be placed in order and to purchase such supplies and to make all such repairs and improvement as are necessary between the adjournment of this session and the convening of the next session of the Legislature and make an inventory of all furniture and fixtures in the Senate Chamber and in the private offices of the Members, as well as of the supplies and equipment on hand in the Purchasing and Supply Department and close his books for the 3rd Called Session of the 71st Legislature. No equipment shall be acquired on a rental/purchase plan unless such equipment be placed on the Senate inventory at the termination of such plan. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he and any member of the Administration Committee shall be entitled to receive his actual and necessary expenses incurred during the interim; and, be it further

RESOLVED, That there shall be printed 325 volumes of the Senate Journal of the 3rd Called Session of the 71st Legislature; when complete 250 copies shall be bound in buckram and delivered to the Secretary of the Senate; one volume thus bound shall be forwarded by the Secretary of the Senate to each Member of the Senate, the Lieutenant Governor, and to each Member of the House of Representatives on request. The printing of such journals shall be done in accordance with the provisions of this Resolution under the supervision of the Chairman of the Committee on Administration; provided, further, that it shall be the duty of said chairman to refuse to receive or receipt for said Senate Journals until corrected and published in accordance with the preexisting law as finally approved by the Chairman of the Committee on Administration of the Senate. When the accounts have been certified by the Chairman of the Committee on Administration of the Senate, said accounts shall be paid out of the Contingent Expense Fund of the 71st Legislature; and, be it further

RESOLVED, That all salaries and expenses herein authorized to be incurred and paid for shall be paid out of the per diem and Contingent Expense Fund of the 71st Legislature as follows: The Senate shall request the State Comptroller of Public Accounts to issue general revenue warrants for payment of the employees of the Lieutenant Governor's office, the Lieutenant Governor, Members of the Senate, employees of the Senate committees, and employees of the Senate, except as provided in Section 20 of the Legislative Reorganization Act (Article 5429f, Vernon's Texas Civil Statutes), upon presentation of the payroll account signed by the Chairman of the Administration Committee and the Secretary of the Senate; and for the payment of materials, supplies, and expenses of the Senate, including travel expenses for Members and employees, upon vouchers signed by the Chairman of the Senate Committee on Administration and the Secretary of the Senate; and, be it further

RESOLVED, That in furtherance of the legislative duties and responsibilities of the Senate, the Administration Committee is hereby authorized and directed to charge to the individual Member's office budget as hereinafter authorized: (1) reimbursement of all actual expenses incurred by the Members when traveling in performance of such duties and responsibilities or incident thereto, and (2) payment of all other reasonable and necessary expenses for the operation of the office of the individual Senator during any period the Legislature is not in session. Expenditures for these services by the Administration Committee as hereby authorized as an expense of the Senate shall not be restricted to Austin but may be incurred in individual senatorial districts. Such expenses shall be paid from funds appropriated

for the use of the Senate on vouchers approved by the Chairman of the Administration Committee and the Secretary of the Senate in accordance with regulations governing such expenditures; and, be it further

RESOLVED, That for the time period from the end of the 71st Legislature, 3rd Called Session, until the convening of the next regular or special session, each Senator shall be permitted to employ secretarial and other office staff and for intrastate travel expenses for staff employees a payroll of \$15,500 per month. Any unexpended portion of this amount may be carried forward from month to month until the end of the fiscal year. Other expenses, including travel expenses or other reasonable and necessary expenses incurred in the furtherance and performance of legislative duties or in operation of his office or incident thereto, shall be provided in addition to the maximum salary authorized.

In order to accrue vacation leave, compensatory/overtime leave, or sick leave, employees of Members must file monthly time sheets with the Senate Personnel Office by the 10th of the month following the month in which work was performed. Employees of Members and committees must use compensatory/overtime accrued in a given month by the end of the same month of the following year. Compensatory/overtime accrued prior to January 1, 1990, will not be carried forward after January 1, 1991. No compensatory/overtime will be paid at either the end of the fiscal year or at an employee's termination; and, be it further

RESOLVED, That the Lieutenant Governor shall have the authority to appoint any Member of the Senate, the Secretary of the Senate, or other Senate employee to attend meetings of the National Conference of State Legislatures and other similar meetings. Necessary and actual expenses are hereby authorized upon the approval of the Chairman of the Administration Committee and the Secretary of the Senate; and, be it further

RESOLVED, That each of the standing committees and subcommittees of the Senate of the 71st Legislature be authorized to continue to meet at such times and places during the interim as determined by such committees and subcommittees and to hold hearings, recommend legislation, and perform research on matters directed either by Resolution, the Lieutenant Governor, or as determined by majority vote of each committee. Each continuing committee and subcommittee shall continue to function under the rules adopted during the legislative session where applicable. Expenses for the operation of these committees and subcommittees are hereby authorized to be paid pursuant to a budget prepared by each committee and approved by the Administration Committee; and, be it further

RESOLVED, That the operating expenses of this committee shall be paid from the Contingent Expense Fund of the Senate, and the committee members shall be reimbursed for their actual expenses incurred in carrying out the duties of the committee.

Any Members not returning for the 72nd Legislature will vacate their Senate offices by December 15, 1990; and, be it further

RESOLVED, That no employee of the Senate shall during the time he or she is employed furnish to any person, firm, or corporation any information other than general information furnished the public pertaining to the Senate, and they shall not without permission receive any compensation from any person, firm, or corporation during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged; and, be it further

RESOLVED, That the Secretary of the Senate is specifically directed not to permit the removal of any of the property of the Senate from the Senate Chamber

or the rooms of the Senate except as authorized by the Chairman of the Administration Committee.

Respectfully submitted,

/s/Chet Brooks

Chairman of the Caucus

The resolution was read and was adopted viva voce vote.

SENATE RESOLUTION 71

Senator Henderson offered the following resolution:

S.R. 71, In memory of Jack M. Fields, Sr., an esteemed resident of Humble.

The resolution was read.

On motion of Senator Krier and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Henderson and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

CAPITOL PHYSICIAN

Senator Zaffirini was recognized and presented Dr. Stanley M. Woodward of New Braunfels.

Dr. Woodward, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

SENATE NOTIFIED

A Committee from the House of Representatives appeared at the Bar of the Senate and Representative Williamson for the Committee notified the Senate that the House had adjourned sine die.

MOTION IN WRITING

Senator Brooks offered the following Motion in Writing:

Mr. President:

I move that the President be authorized to appoint a committee of five (5) Members to notify the Governor that the Senate has completed its labors and is ready to adjourn sine die.

BROOKS

The Motion in Writing was read and was adopted viva voce vote.

Accordingly, the President appointed the following Committee to Notify the Governor: Senators Brown, Haley, Henderson, Johnson and Krier.

MOTION IN WRITING

Senator Brooks offered the following Motion in Writing:

Mr. President:

I move that the President be authorized to appoint a committee of five (5) Members to notify the House of Representatives that the Senate has completed its labors and is ready to adjourn sine die.

BROOKS

The Motion in Writing was read and was adopted viva voce vote.

Accordingly, the President appointed the following Committee to Notify the House of Representatives: Senators Barrientos, Dickson, Ellis, Sims and Zaffirini.

ANNOUNCEMENT BY SENATOR BROOKS

Senator Brooks was recognized to inform the Senate of the death of J. H. (Buddy) Raspberry, General Vice President of the International Longshoremen's Association and President of the South Atlantic and Gulf Coast District, I.L.A., who passed away March 22, 1990, in Houston.

Mr. Raspberry, a classmate of Senator Brooks at San Jacinto College, grew up in Houston and attended both Texas A&M University and The University of Texas. He also served honorably in the United States Air Force.

Funeral services were conducted at the First Baptist Church of Madisonville on Monday, March 26, 1990.

MOTION TO ADJOURN SINE DIE

On motion of Senator Brooks, the Senate at 10:14 a.m., pursuant to S.C.R. 11, agreed to adjourn sine die upon the completion of administrative duties.

MESSAGE FROM THE HOUSE

House Chamber
March 28, 1990

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 1, Congratulating Jerrilyn Ray on her service to Texas Agricultural Extension Service in Kerr County.

Respectfully,
BETTY MURRAY, Chief Clerk
House of Representatives

GOVERNOR NOTIFIED

The Committee appointed to Notify the Governor that the Senate had adjourned sine die appeared at the Bar of the Senate and Senator Brown for the Committee reported to the Senate they had completed their assigned task.

The President discharged the Committee.

HOUSE OF REPRESENTATIVES NOTIFIED

The Committee appointed to Notify the House of Representatives that the Senate had adjourned sine die appeared at the Bar of the Senate and Senator Barrientos for the Committee reported to the Senate they had completed their assigned task.

The President discharged the Committee.

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

S.C.R. 1
H.C.R. 2
H.C.R. 3
H.C.R. 5
H.C.R. 11
H.C.R. 16
H.C.R. 29
H.C.R. 31
H.C.R. 33
H.C.R. 34
H.C.R. 36
H.C.R. 38
H.C.R. 39
H.C.R. 40
H.C.R. 41
H.C.R. 42
H.C.R. 43
H.C.R. 47
H.C.R. 48
H.C.R. 50
H.C.R. 52

CONGRATULATORY RESOLUTIONS

H.C.R. 5 - (Lyon): Extending congratulations to Dr. Mark Atkinson, a biochemist at The University of Texas Health Center at Tyler.

H.C.R. 31 - (Truan): Recognizing the Shrimporee parade in Aransas Pass as the Official Shrimporee Parade of Texas.

H.C.R. 34 - (Lyon): Extending congratulations to the Chapel Hill Bulldogs on winning the UIL Class 4A State championship.

H.C.R. 38 - (Lyon): Extending congratulations to George W. Oge of Tyler on receiving the T. B. Butler Award.

H.C.R. 39 - (Lyon): Extending congratulations to Barbara Bass of Tyler on receiving the W. C. Windsor Award.

H.C.R. 40 - (Lyon): Extending congratulations to Tom M. Woldert of Tyler on receiving the W. C. Windsor Award.

H.C.R. 41 - (Lyon): Extending congratulations to Dr. Raymond Hawkins, President of Tyler Junior College.

H.C.R. 43 - (Caperton): Honoring the Criminal Justice Center at Sam Houston State University.

H.C.R. 47 - (Lyon): Honoring Mr. and Mrs. Frank Singletary of Troup on their 70th wedding anniversary.

H.C.R. 48 - (Lyon): Commending Dr. Earl Christian Kinzie of Lindale on his retirement.

S.R. 77 - By Sims: Extending congratulations to W. E. "Pete" Snelson on his 67th birthday.

S.R. 78 - By Brown: Extending congratulations to Angie Clark of Danbury for winning the Danbury Optimist Club essay contest.

S.R. 79 - By Ratliff: Extending congratulations to Billy Roy Clark II of Mount Pleasant on achieving the rank of Eagle Scout.

S.R. 80 - By Montford: Extending congratulations to the David Crockett Junior High School Band on winning the John Philip Sousa Foundation's "Sudler Cup" for 1990.

S.R. 81 - By Haley: Declaring May 30, 1990, as Bieto Beseler Day in Nacogdoches.

S.R. 83 - By Ratliff: Extending congratulations to Betsy McKellar of Mount Pleasant on receiving the Johnnie Marie Grimes Outstanding Individual Award.

ADJOURNMENT SINE DIE

The President announced that the hour for final adjournment of the 3rd Called Session of the 71st Legislature had arrived.

Senator Ellis at 2:21 p.m. moved that the Senate stand adjourned sine die in accordance with a motion previously adopted.

The President declared the 3rd Called Session of the 71st Legislature adjourned sine die.

**In Memory
of
John Ben Shepperd**

Senator Montford offered the following resolution:

(House Concurrent Resolution 36)

WHEREAS, The State of Texas lost one of its most illustrious statesmen with the death on March 8, 1990, of former Secretary of State and Attorney General John Ben Shepperd; and

WHEREAS, In 1950, Governor Allen Shivers appointed him to the office of secretary of state; subsequently, Mr. Shepperd was elected state attorney general in 1952 and was returned to office in the 1954 election; and

WHEREAS, As attorney general, he was noted for his aggressive inquiries into public corruption; his investigations in Duval County produced hundreds of indictments against county and school officials, and his probe of irregularities in the veterans land program resulted in the first imprisonment of an elected state official; and

WHEREAS, Mr. Shepperd retired from elective office in 1957, but he continued his strong commitment to public service and civic involvement; and

WHEREAS, As chairman of the Texas Historical Commission in 1963, he worked to establish the program of placing official historical markers along the state's highways, and he is credited with organizing the Texas Arts Commission, which was created in 1966; and

WHEREAS, A graduate of The University of Texas at Austin with bachelor's and law degrees, Mr. Shepperd was a prominent supporter of his alma mater and was instrumental in the establishment of The University of Texas of the Permian Basin; and

WHEREAS, This distinguished Texan became a civic leader at the young age of 17, when he organized the Gladewater Junior Chamber of Commerce; in 1949, he became the first person unanimously elected as president of the United States Junior Chamber of Commerce and was an "Outstanding Young Man of America"; and Mr. Shepperd was named "Texan of the Year" by the state chamber of commerce in 1984; and

WHEREAS, His achievements in public life are an inspiration for those aspiring to the highest ideals of service in appointive and elective office or civic involvement; now, therefore, be it

RESOLVED, That the 71st Legislature of the State of Texas, 3rd Called Session, pay tribute to the life of the Honorable John Ben Shepperd and express sympathy on their great loss to his family: his beloved wife, Mamie Shepperd of Odessa; his son, Alfred L. Shepperd of San Antonio; his daughters, Suzanne McCarver of Tulsa, Oklahoma, and Marianne Morse of Roanoke, Virginia; his brother, Alfred E. Shepperd of Hunt; and his nine grandchildren; and, be it further

RESOLVED, That official copies of this resolution be prepared for the family of John Ben Shepperd to honor his many contributions to the greatness of this state.

The resolution was read.

On motion of Senator Krier and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Montford and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

APPENDIX

Filed with the Secretary of State
(March 8, 1990)

H.C.R. 25

Signed by Governor
(March 19, 1990)

H.C.R. 9

H.C.R. 24

(March 29, 1990)

H.C.R. 42

Sent to Governor
(March 30, 1990)

S.C.R. 1

S.C.R. 3

S.C.R. 5

S.C.R. 7

S.C.R. 10

Signed by Governor
(April 3, 1990)

H.C.R. 34

H.C.R. 36

(April 17, 1990)

S.C.R. 1

S.C.R. 2

S.C.R. 3

S.C.R. 5

S.C.R. 6

S.C.R. 7

S.C.R. 10

H.C.R. 2

H.C.R. 3

H.C.R. 4

H.C.R. 5

H.C.R. 10

H.C.R. 11

H.C.R. 15

H.C.R. 16

H.C.R. 26

H.C.R. 29

H.C.R. 31

H.C.R. 32

H.C.R. 33

H.C.R. 35

H.C.R. 37

H.C.R. 38

H.C.R. 39

H.C.R. 40

H.C.R. 41

H.C.R. 43

H.C.R. 47

H.C.R. 48

H.C.R. 50

H.C.R. 52

**SENATE BILLS AND SENATE JOINT RESOLUTIONS,
AUTHORS OF****(In Alphabetical Order of Authors)**

(Note — See “History of Senate Bills” and “History of Senate Joint Resolutions” for History of Bills and Resolutions.)

ARMBRISTER, SENATOR KEN

S.B. 23 — Relating to the authority of navigation districts.

BARRIENTOS, SENATOR GONZALO

S.B. 22 — Relating to the creation, administration, powers, duties, operation, and financing of the Williamson-Travis Counties Water Control and Improvements District No. 1.

S.B. 37 — Relating to average daily attendance in school districts with high military or civil service populations.

S.B. 40 — Relating to exempting from ad valorem taxes property owned or leased by certain cooperative research and development organizations.

S.B. 48 — Relating to counselors and counseling programs in schools; making an appropriation.

S.B. 67 — Relating to the imposition of court costs in certain criminal cases for the funding of the crime stoppers assistance account; making an appropriation.

S.B. 71 — Relating to the creation, administration, powers, duties, operation, and financing of the Glen Rose Water Control and Improvement District No. 1.

BIVINS, SENATOR TEEL

S.B. 57 — Relating to property rights in, and the establishment of a wildlife management area along and in the vicinity of, the Canadian River bed; making an appropriation.

BROOKS, SENATOR CHET

S.B. 10 — Relating to ethics and accountability in state government and elections; to the composition, powers, and duties of the Texas Elections and Ethics Commission; to registration, reporting, and restrictions concerning expenditures made to influence legislation or administrative action; to personal financial statements filed by state officers and employees; and to the acceptance, use, and reporting of political contributions and expenditures; making an appropriation; providing penalties.

S.B. 11 — Relating to the creation of a special fund for forfeiture proceeds and to permitting the Texas Alcoholic Beverage Commission to use those proceeds for law enforcement purposes; making an appropriation.

S.B. 15 — Relating to the promotion, regulation, and coordination of aquaculture and the fish farming industry; making appropriations.

S.B. 17 — Relating to the Children’s Trust Fund of Texas Council and to transferring appropriations relating to the children’s trust fund.